

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**FILED**

DEC 29 2000

RUSSEL C. WILLEY, individually,

Plaintiff,

v.

A. C. AND S., INC., a corporation; A.P. GREEN INDUSTRIES, a corporation; C.E. THURSTON AND SONS, INC., a corporation; COMBUSTION ENGINEERING, INC., a corporation; CSR, LTD., a corporation; DANA CORP., a corporation; DRESSER INDUSTRIES, a corporation; EMPIRE ACE INSULATION MFG. CORP., a corporation; ERICSSON, INC., as successor to ANACONDA STEEL & WIRE CO., a corporation; FERODO AMERICA, INC., a corporation; FOSTER WHEELER CORPORATION, as Parent Corporation to FOSTER WHEELER ENERGY CORPORATION, a corporation; FOSTER-WHEELER ENERGY CORP., a corporation; THE FLINTKOTE COMPANY, a corporation; GAF CORPORATION, a corporation; GARLOCK, INC., a corporation; GENERAL ELECTRIC COMPANY, a corporation; GENERAL REFRACTORIES COMPANY, a corporation; GEORGIA-PACIFIC CORPORATION, a corporation; HARBISON WALKER REFRACTORIES, a corporation; I.U. NORTH AMERICA, INC., a corporation; INDUSTRIAL HOLDINGS CO., a corporation, MAREMONT CORP., a corporation; METROPOLITAN LIFE INSURANCE COMPANY, a corporation; NATIONAL SERVICES INDUSTRIES, INC., a corporation; NORTH AMERICAN REFRACTORIES COMPANY, a corporation; NOSROC CORP., a corporation; OWENS-ILLINOIS CORP., a corporation; PFIZER, INC., a corporation; QUIGLEY CO., INC., a corporation; RAPID AMERICAN CORP., a corporation; RHONE-POULENC AG., CO., a corporation; SHOOK & FLETCHER INSULATION CO., a corporation; T&N, LTD f/k/a T & N PLC, a corporation; UNION CARBIDE CHEMICALS AND PLASTICS CO., INC., a corporation; UNITED STATES MINERAL PRODUCTS CO., a corporation; W.R. GRACE CO., a corporation; and VIACOM, INC., as successor to WESTINGHOUSE ELECTRIC CORP., a corporation.

Defendants.

CASE NO.

MICHAEL W. DOBBINS, CLERK  
UNITED STATES DISTRICT COURT

In Re Asbestos Litigation

**COMPLAINT**

**00C 8195**

**JUDGE KOCORAS**

**MAGISTRATE JUDGE BOBRICK**

**RECORDED**

**JAN 02 2001**

**COMPLAINT**

Now comes the plaintiff, Russel C. Willey (hereinafter "Plaintiff"), by and through his attorneys, CASCINO VAUGHAN LAW OFFICES, LTD., and complains of defendants, as follows:

**JURISDICTION**

1. Plaintiff, Russel C. Willey, is an adult citizen of Illinois. Plaintiff's address is 1011 N Spring Street, Elgin, Illinois 60120. Plaintiff's Social Security number is 332-28-6866. Plaintiff allegedly worked

with asbestos at various job sites in the state of Illinois during his career as a Laborer.

2. The defendants are all corporations, none of which is incorporated in or has its principal place of business in the State of Illinois, and at all times relevant to the allegations contained herein were engaged in the business of designing, manufacturing and selling asbestos and/or asbestos-containing products and/or asbestos-insulated equipment (hereinafter referred to as "asbestos products"). Please refer to the attached Exhibit A for the state of incorporation and principal place of business of each defendant.
3. Jurisdiction is based on diversity of citizenship of the parties hereto under Title 28, United States Code, §1332.
4. The amount in controversy exceeds the sum of Seventy-Five Thousand Dollars, exclusive of interest and costs.
5. Venue is proper pursuant to Title 28, United States Code, §1391.

#### **GENERAL ALLEGATIONS**

6. Plaintiff during the course of his employment at various job sites, including those listed on the attached Exhibit B, was allegedly exposed to asbestos dust or fibers emanating from the asbestos products which were sold, manufactured, distributed, packaged, installed or otherwise placed into commerce by all defendants.
7. Plaintiff was ignorant of the dangerous nature of asbestos and of the nature of the risks incurred by workers working with or near said materials.
8. Plaintiff became aware of the asbestos-related condition and said condition was caused by defendants' wrongful conduct within the statute of limitations before the filing of this action.
9. As a direct and proximate result of the conduct of defendants, Plaintiff developed and has been diagnosed as having Asbestosis. See medical report at Exhibit C, attached hereto and incorporated herein by this reference.
10. Plaintiff suffered great pain, physical impairment, great mental pain and anguish, is liable for large

sums of money for medical and hospital care, and suffered losses to his personal property and possessions.

**COUNT 1 - PRODUCTS LIABILITY - NEGLIGENCE**

11. Plaintiff brings this count for negligence against all defendants, less METROPOLITAN LIFE INSURANCE COMPANY, and incorporates by reference all general allegations.
12. It was reasonably foreseeable by defendants that Plaintiff and other workers would be working with or in the proximity of defendants' asbestos products.
13. Defendants had a duty to exercise reasonable care for the safety of Plaintiff and others who worked with or were allegedly exposed to the defendants' asbestos products.
14. Defendants knew or in the exercise of ordinary or reasonable care ought to have known that exposure to their asbestos products caused disease and/or death and that Plaintiff did not know that asbestos products were dangerous or harmful.
15. Notwithstanding the aforementioned duty, defendants, and each of them, were negligent by one or more of the following acts or omissions:
  - a) Failed to adequately warn Plaintiff or others of the health hazards of asbestos;
  - b) Failed to warn Plaintiff or others of the danger and harm of the asbestos after the products or equipment were installed at the premises;
  - c) Failed to investigate or test for the health effects of asbestos prior to distribution and sale;
  - d) Failed to instruct Plaintiff, his employers or others in the use of precautionary measures relating to asbestos-containing products and/or asbestos-insulated equipment; and/or
  - e) Manufactured, supplied, or installed unsafe asbestos-containing products or asbestos-insulated equipment.
16. As a direct and proximate result of the acts and omissions of the defendants above, plaintiff was

injured as described above.

**COUNT 2 – CONSPIRACY**

17. This claim is brought against all defendants herein for civil conspiracy and plaintiff incorporates the general allegations above.
18. The civil conspiracy defendants and other unnamed coconspirators knowingly and willfully combined, agreed, and conspired with each other for the purpose of accomplishing one or more of the following unlawful purposes:
  - a) Suppressing information about the health hazards of asbestos, including medical and scientific data, from those persons who would be exposed to the asbestos from the products made and sold by the conspirators,
  - b) Affirmatively asserting, in a manner not warranted by the information possessed by the conspirators, claims that the conspirators knew were false, namely, that it was safe to work with and in close proximity to asbestos.
19. The conspirators in communications between each other and through participation in trade organizations and committees of such trade organizations ratified and adopted the unlawful purposes and conduct of the conspiracy.
20. One or more of the conspirators performed the following tortious acts in furtherance of the conspiracy:
  - a) Manufactured, sold, packaged or installed unreasonably dangerous asbestos products to which the Plaintiff was exposed,
  - b) Failed to warn about health hazards of asbestos, failed to investigate health hazards of asbestos or failed to instruct about precautionary measures required for protection;
21. The agreement of the conspirators and acts done in furtherance of the agreement were the proximate causes of the injuries set forth above.

**PUNITIVE DAMAGES**

22. Defendants acted maliciously, with willful and wanton disregard for the rights of Plaintiff for which plaintiff is entitled to recover punitive damages.

**PRAYER FOR RELIEF**

WHEREFORE, plaintiff prays for relief as follows:

- a) Judgement against defendants, jointly and severally, for compensatory and general damages.
- b) Such further legal and equitable relief as the Court orders to do justice in this case; costs and disbursements of this action.

**JURY TRIAL DEMAND**

Plaintiff hereby demands a trial by a jury of 6.

Dated this 27<sup>th</sup> day of December, 2000.



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One of the Plaintiff's Attorneys

MICHAEL P. CASCINO  
CASCINO VAUGHAN LAW OFFICES, LTD.  
403 West North Avenue  
Chicago, Illinois 60610-1117  
312-944-0600  
312-944-1870 fax

**Exhibit A**  
**Defendants' Home States and Principal Places of Business**

|  |                         |                       |
|--|-------------------------|-----------------------|
| A.C. and S., Inc.  | Delaware                | Pennsylvania          |
| <del>Airco, Inc. (The DGC Group)</del>   | <del>Delaware</del>     | <del>New Jersey</del> |
| A.P. Green Industries  | Delaware                | Missouri              |
| C.E. Thurston and Sons   | Delaware                | Virginia              |
| <del>Celco Industries Corp.</del>  | <del>Pennsylvania</del> | <del>Virginia</del>   |
| Combustion Engineering, Inc.   | Delaware                | Massachusetts         |
| C S R, Ltd.  | Australia               | Australia             |
| Dana Corp.   | Virginia                | Ohio                  |
| Dresser Industries, Inc.   | Delaware                | Texas                 |
| Ericsson, Inc., as successor to Anaconda Wire & Cable Company                          | North Dakota            | Wisconsin             |
| Empire Ace Insulation Mfg. Corp.   | New York                | New York              |
| Ferodo America, Inc.   | Delaware                | Tennessee             |
| Foster Wheeler Corporation, as Parent Corporation to Foster Wheeler Energy Corporation | New York                | New Jersey            |
| Foster Wheeler Energy Corp.  | Delaware                | New Jersey            |
| The Flintkote Company  | Delaware                | California            |
| GAF Corporation  | Delaware                | New Jersey            |
| Garlock, Inc.  | Ohio                    | Ohio                  |
| General Electric Company   | New York                | Connecticut           |
| General Refractories Company   | Pennsylvania            | Pennsylvania          |
| Georgia-Pacific Corporation  | Georgia                 | Georgia               |
| Harbison Walker Refractories   | Delaware                | Pennsylvania          |
| Industrial Holdings Co.  | New York                | New York              |
| I.U. North America, Inc.   | Delaware                | Pennsylvania          |
| <del>International Paper Corp.</del>   | <del>Delaware</del>     | <del>Indiana</del>    |
| Maremont Corp.   | Delaware                | Indiana               |
| Metropolitan Life Insurance Company  | New York                | New York              |
| National Services Industries, Inc.   | Delaware                | Indiana               |
| North American Refractories Company  | Ohio                    | Ohio                  |
| Nosroc Corp.   | Pennsylvania            | Pennsylvania          |
| Owens-Illinois Corporation   | Delaware                | Ohio                  |
| Pfizer, Inc.   | Delaware                | New York              |
| Quigley Co., Inc.  | New York                | New York              |
| Rapid American Corp.   | Delaware                | Pennsylvania          |

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|---|-------------|------------|
| Rhone Poulence Ag. Co., f.k.a. Amchem Products, Inc.      | New York    | New Jersey |
| Shook & Fletcher  | Delaware    | Alabama    |
| T&N LTD, f/k/a T&N plc                                    | Delaware    | Britain    |
| Union Carbide Chemicals and Plastics Co., Inc.            | New York    | New Jersey |
| United States Mineral Products Company                    | New Jersey  | New Jersey |
| W.R. Grace Company  | Connecticut | Florida    |
| Viacom, Inc., as successor to Westinghouse Electric Corp. | Delaware    | New York   |

Exhibit B

Last: Willey

SSN: 332-28-6866

| SSN         | Last   | First  | FirstYrld | LastYrld | SiteLocation    | SiteCity | SiteSt |
|-------------|--------|--------|-----------|----------|-----------------|----------|--------|
| 332-28-6866 | Willey | Russel | 1957      | 1975     | Carswell Floors | Elgin    | IL     |



PLAINTIFF'S  
EXHIBIT

tabbies

C

ALVIN J. S. HONFELD D.O., F.C.C.P., A.A.D.E.P.

PULMONARY MEDICINE  
OCCUPATIONAL LUNG DISEASE

RUSSELL WILKIN

WORKER'S Social Security Number

TYPE OF READING

905 W. CASTLEWOOD TERRACE  
CHICAGO, ILLINOIS 60640-4128

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RUSSEL C. WILLEY, individually v. A. C. AND S., INC., et al.

**Distribution List:**

A C AND S INC  
C/O C T CORPORATION SYSTEM  
208 S LASALLE ST STE 814  
CHICAGO IL 60603-1135

~~AIRCO, INC./THE BOC GROUP  
C/O CT CORPORATION SYSTEMS  
208 S. LASALLE STREET  
SUITE 814  
CHICAGO IL 60604-1135~~

A.P. GREEN INDUSTRIES  
CVCSC, INC.  
C/O DARCY ROPER  
P.O. BOX 950  
525 BROOK STREET  
ROCKY HILL, CT 06067

C.E. THURSTON AND SONS, INC.  
C/O H. VAUGHAN PRIVETT  
485 BROOKSIDE COURT  
NORFOLK VA 23502-2502

~~COLTEC INDUSTRIES CORP.  
C/O CT CORPORATION SYSTEMS  
ONE N CAPITAL AVE  
INDIANAPOLIS IN 46204~~

COMBUSTION ENGINEERING, INC.  
C/O THE CORPORATION TRUST COMPANY  
1209 N. ORANGE STREET  
WILMINGTON, DE 19801

C S R LTD  
MICHAEL P. CASEY, ESQ.  
LEWIS RICE & FINGERSH  
500 NORTH BROADWAY  
SUITE 2000  
ST. LOUIS MO 63102

DANA CORP.  
C/O CT CORPORATION SYSTEM  
208 S. LASALLE STREET  
SUITE 814  
CHICAGO IL 60604-1135

DRESSER INDUSTRIES  
C/O ILLINOIS SERVICE COMPANY  
700 S. 2<sup>ND</sup> STREET  
SPRINGFIELD IL 62704

EMPIRE ACE INSULATION MFG. CORP.  
C/O SECRETARY OF STATE - NY  
41 STATE STREET  
ALBANY, NY

ERICSSON, INC., AS SUCCESSOR TO ANACONDA STEEL & WIRE COMPANY  
C/O CT CORPORATION SYSTEMS  
314 EAST THAYER AVE  
BISMARCK, ND 58502-0400

FERODO AMERICA, INC.  
C/O THE CORPORATION TRUST COMPANY  
1209 N. ORANGE STREET  
WILMINGTON DE 19801

FOSTER-WHEELER CORPORATION, AS PARENT CORPORATION TO  
FOSTER WHEELER ENERGY CORP.  
C/O PRENTICE HALL CORP. SYSTEMS  
4845 JIMMY CARTER BLVD.  
NORCROSS GA 30093

FOSTER-WHEELER ENERGY CORP.  
C/O U.S. CORPORATION COMPANY  
1013 CENTRE ROAD  
WILMINGTON DE 1980

THE FLINTKOTE COMPANY  
C/O CORPORATION TRUST COMPANY  
1209 N. ORANGE STREET  
WILMINGTON DE 19801

GAF CORPORATION  
C/O PRENTICE HALL CORPORATION SYS  
1013 CENTER RD  
WILMINGTON DE 19805-1265

GARLOCK INC  
C/O C T CORPORATION SYSTEM  
208 S LASALLE ST STE 814  
CHICAGO IL 60604-1135

GENERAL ELECTRIC COMPANY  
C/O C T CORPORATION SYSTEM  
1209 N. ORANGE STREET  
WILMINGTON DE 19801

GENERAL REFRACTORIES CO  
C/O C T CORPORATION SYSTEM  
1 N CAPITOL AVE STE 1000  
INDIANAPOLIS IN 46204-2279

GEORGIA-PACIFIC CORPORATION  
C/O C T CORPORATION SYSTEM  
208 S LASALLE ST STE 814  
CHICAGO IL 60604-1135

HARBISON WALKER REFRACTORIES  
CVCSC, INC.  
C/O CHRISTINE ASTIN  
P.O. BOX 950  
525 BROOK STREET  
ROCKY HILL, CT 06067

INDUSTRIAL HOLDINGS CO.  
C/O THE PRENTICE HALL CORP.  
80 STATE STREET  
ALBANY NY 12207

I.U. NORTH AMERICA, INC.  
C/O THE CORPORATION TRUST COMPANY  
1209 N. ORANGE STREET  
WILMINGTON DE 19801

~~LINCOLN ELECTRIC MERGER CO.  
C/O LEGAL COMPANY  
22801 ST. CLAIR AVE.  
CLEVELAND OH 44117~~

MAREMONT CORP.  
C/O THE CORPORATION TRUST COMPANY  
1209 N. ORANGE STREET  
WILMINGTON DE 19801

METROPOLITAN LIFE INSURANCE CO  
1 MADISON AVE  
NEW YORK NY 10010-3690

NORTH AMERICAN REFRACTORIES CO  
JOSEPH R. SCHAPER  
HEINTZMAN, WARREN, WISE & FORNELLA, P.C.  
THE 35<sup>TH</sup> FLOOR, GULF TOWER  
707 GRANT STREET  
PITTSBURGH, PA 15219-1913

NATIONAL SERVICE INDUSTRIES, INC.  
C/O THE CORPORATION TRUST COMPANY  
1209 N. ORANGE STREET  
WILMINGTON DE 19801

NOSROC, INC.  
C/O CT CORPORATION TRUST COMPANY  
1209 N. ORANGE STREET  
WILMINGTON DE 19801

OWENS-ILLINOIS CORP.  
C/O CT CORPORATION SYSTEMS  
520 SW YAMHILL  
SUITE 800  
PORTLAND OR 97204

PFIZER, INC.

C/O CT CORPORATION SYSTEMS  
1633 BROADWAY  
NEW YORK NY 10019

QUIGLEY CO., INC.  
C/O CT CORPORATION SYS  
208 S. LASALLE STREET  
CHICAGO IL 60604

RAPID-AMERICAN CORPORATION  
C/O PRENTICE HALL CORPORATION SYS  
380 S 5TH ST  
COLUMBUS OH 43215

RHONE POULENC AG., CO.  
C/O CT CORPORATION SYSTEMS  
1635 MARKET STREET  
PHILADELPHIA PA 19103

SHOOK & FLETCHER INSULATION CO.  
C/O LEGAL COUNSEL  
4625 VALLEYDALE ROAD  
BIRMINGHAM, AL 35242

T&N PLC AS SUCCESSOR TO TURNER & NEWALL PLC AND TURNER & NEWALL, LTD  
MANCHESTER INTERNATIONAL OFFICE CENTRE  
STYAL ROAD  
SUITE #15  
MANCHESTER ENGLAND M225TN

UNION CARBIDE CHEMICALS AND PLASTICS CO., INC.  
C/O THE CORPORATION TRUST CO.  
1209 N. ORANGE STREET  
WILMINGTON DE 19801

UNITED STATES MINERAL PRODUCTS CO  
C/O LEGAL DEPARTMENT  
41 FURNACE STREET  
STANHOPE, NJ 07874

W R GRACE COMPANY  
C/O PRENTICE HALL CORPORATION SYS  
25 W MAIN ST  
MADISON WI 53703

VIACOM, INC., AS SUCCESSOR TO WESTINGHOUSE ELECTRIC CORPORATION  
C/O LEGAL COUNSEL  
1515 BROADWAY  
NEW YORK, NY 10036

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THIS FORM.)

## I. (a) PLAINTIFFS

RUSSEL C. WILLEY, individually

## DEFENDANTS

A. C. AND S. INC., et al.

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Kane  
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, INDICATE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Cascino Vaughan Law Offices, Inc.  
403 West North Avenue  
Chicago Illinois 60610-1117  
312-944-0600 — 312-944-1870 (fax)

ATTORNEYS (IF KNOWN)

MICHAEL W. DOBBINS, CLERK  
UNITED STATES DISTRICT COURT

## II. BASIS OF JURISDICTION

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

(For Diversity Cases Only)

- |   |   |  |  |                                |                                |
|---|---|--|--|--------------------------------|--------------------------------|
| Citizen of This State                   | PTF <input checked="" type="checkbox"/> 1 | DEF <input type="checkbox"/> 1           | Incorporated or Principal Place of Business In This State  | PTF <input type="checkbox"/> 4 | DEF <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2                | X2 <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In This State | <input type="checkbox"/> 5     | <input type="checkbox"/> 5     |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3                | <input type="checkbox"/> 3               | Foreign Nation   | <input type="checkbox"/> 6     | <input type="checkbox"/> 6     |

## IV. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- X 1 Original Proceeding
- ☐ 2 Removed From State Court
- ☐ 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Judgment

## V. NATURE OF SUIT

(PLACE AN "X" IN ONE BOX ONLY)

| CONTRACT  |  | TORTS  |  | FORFEITURE/PENALTY  |  | BANKRUPTCY   |  | OTHER STATUTES   |  |
|---|--|--|--|---|--|--|--|--|--|
| <input type="checkbox"/> 110 Insurance  | <input type="checkbox"/> 310 Airplane                        | <input type="checkbox"/> 362 Personal Injury - Med. Malpractice                    | <input type="checkbox"/> 610 Agriculture                                 | <input type="checkbox"/> 422 Appeal 28 USC 158                      | <input type="checkbox"/> 400 State Reapportionment                         | <input type="checkbox"/> 410 Antitrust                           | <input type="checkbox"/> 430 Banks and Banking                   | <input type="checkbox"/> 450 Commerce/ICC Rates/etc.             | <input type="checkbox"/> 460 Deportation                         |
| <input type="checkbox"/> 120 Marine   | <input type="checkbox"/> 315 Airplane Product Liability      | <input type="checkbox"/> 365 Personal Injury - Product Liability                   | <input type="checkbox"/> 620 Other Food & Drug                           | <input type="checkbox"/> 423 Withdrawal 28 USC 157                  | <input type="checkbox"/> 470 Racketeer Influence and Corrupt Organizations | <input type="checkbox"/> 810 Selective Service                   | <input type="checkbox"/> 850 Securities/Commodities/Exchange     | <input type="checkbox"/> 875 Customer Challenge 12 USC 3410      | <input type="checkbox"/> 891 Agricultural Acts                   |
| <input type="checkbox"/> 130 Miller Act   | <input type="checkbox"/> 320 Assault, Libel & Slander        | <input checked="" type="checkbox"/> 368 Asbestos Personal Injury Product Liability | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 | <input type="checkbox"/> 424 Copyright                              | <input type="checkbox"/> 861 HIA (1395ff)                                  | <input type="checkbox"/> 862 Black Lung (923)                    | <input type="checkbox"/> 863 DIWC/DIWW (405(g))                  | <input type="checkbox"/> 864 SSID Title XVI                      | <input type="checkbox"/> 865 RSI (405(g))                        |
| <input type="checkbox"/> 140 Negotiable Instrument                                | <input type="checkbox"/> 330 Federal Employers' Liability    | <input type="checkbox"/> 370 Other Fraud   | <input type="checkbox"/> 630 Liquor Laws                                 | <input type="checkbox"/> 425 Patent                                 | <input type="checkbox"/> 866 DIWC/DIWW (405(g))                            | <input type="checkbox"/> 867 SSID Title XVI                      | <input type="checkbox"/> 868 RSI (405(g))                        | <input type="checkbox"/> 869 SSID Title XVI                      | <input type="checkbox"/> 870 RSI (405(g))                        |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment    | <input type="checkbox"/> 340 Marine                          | <input type="checkbox"/> 371 Truth in Lending                                      | <input type="checkbox"/> 640 R.R. & Truck                                | <input type="checkbox"/> 426 Trademark                              | <input type="checkbox"/> 869 SSID Title XVI                                | <input type="checkbox"/> 870 RSI (405(g))                        | <input type="checkbox"/> 871 SSID Title XVI                      | <input type="checkbox"/> 872 SSID Title XVI                      | <input type="checkbox"/> 873 SSID Title XVI                      |
| <input type="checkbox"/> 151 Medicare Act   | <input type="checkbox"/> 345 Marine Product Liability        | <input type="checkbox"/> 380 Other Personal Property Damage                        | <input type="checkbox"/> 650 Airline Regs.                               | <input type="checkbox"/> 427 Labor                                  | <input type="checkbox"/> 874 Taxes (U.S. Plaintiff or Defendant)           | <input type="checkbox"/> 875 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 876 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 877 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 878 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) | <input type="checkbox"/> 350 Motor Vehicle                   | <input type="checkbox"/> 385 Property Damage Product Liability                     | <input type="checkbox"/> 660 Occupational Safety/Health                  | <input type="checkbox"/> 428 Labor/Mgmt. Reporting & Disclosure Act | <input type="checkbox"/> 879 Taxes (U.S. Plaintiff or Defendant)           | <input type="checkbox"/> 880 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 881 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 882 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 883 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits        | <input type="checkbox"/> 355 Motor Vehicle Product Liability | <input type="checkbox"/> 385 Property Damage Product Liability                     | <input type="checkbox"/> 690 Other                                       | <input type="checkbox"/> 429 Labor/Mgmt. Relations                  | <input type="checkbox"/> 884 Taxes (U.S. Plaintiff or Defendant)           | <input type="checkbox"/> 885 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 886 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 887 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 888 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 160 Stockholders' Suits                                  | <input type="checkbox"/> 360 Other Personal Injury           | <input type="checkbox"/> 385 Property Damage Product Liability                     | <input type="checkbox"/> 710 Fair Labor Standards Act                    | <input type="checkbox"/> 430 Labor/Mgmt. Reporting & Disclosure Act | <input type="checkbox"/> 889 Taxes (U.S. Plaintiff or Defendant)           | <input type="checkbox"/> 890 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 891 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 892 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 893 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 190 Other Contract                                       | <input type="checkbox"/> 360 Other Personal Injury           | <input type="checkbox"/> 385 Property Damage Product Liability                     | <input type="checkbox"/> 720 Labor/Mgmt. Reporting & Disclosure Act      | <input type="checkbox"/> 431 Labor/Mgmt. Reporting & Disclosure Act | <input type="checkbox"/> 894 Taxes (U.S. Plaintiff or Defendant)           | <input type="checkbox"/> 895 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 896 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 897 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 898 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 195 Contract Product Liability                           | <input type="checkbox"/> 360 Other Personal Injury           | <input type="checkbox"/> 385 Property Damage Product Liability                     | <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act      | <input type="checkbox"/> 432 Labor/Mgmt. Reporting & Disclosure Act | <input type="checkbox"/> 899 Taxes (U.S. Plaintiff or Defendant)           | <input type="checkbox"/> 900 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 901 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 902 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 903 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 210 Land Condemnation                                    | <input type="checkbox"/> 441 Voting                          | <input type="checkbox"/> 510 Motions to Vacate Sentence                            | <input type="checkbox"/> 740 Railway Labor Act                           | <input type="checkbox"/> 433 Labor/Mgmt. Reporting & Disclosure Act | <input type="checkbox"/> 904 Taxes (U.S. Plaintiff or Defendant)           | <input type="checkbox"/> 905 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 906 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 907 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 908 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 220 Foreclosure  | <input type="checkbox"/> 442 Employment                      | <input type="checkbox"/> 530 General   | <input type="checkbox"/> 790 Other Labor Litigation                      | <input type="checkbox"/> 434 Labor/Mgmt. Reporting & Disclosure Act | <input type="checkbox"/> 909 Taxes (U.S. Plaintiff or Defendant)           | <input type="checkbox"/> 910 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 911 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 912 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 913 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 230 Rent Lease & Ejectment                               | <input type="checkbox"/> 443 Housing/Accommodations          | <input type="checkbox"/> 535 Death Penalty   | <input type="checkbox"/> 790 Empl. Ret. Inc. Security Act                | <input type="checkbox"/> 435 Labor/Mgmt. Reporting & Disclosure Act | <input type="checkbox"/> 914 Taxes (U.S. Plaintiff or Defendant)           | <input type="checkbox"/> 915 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 916 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 917 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 918 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 240 Torts to Land  | <input type="checkbox"/> 444 Welfare                         | <input type="checkbox"/> 540 Mandamus & Other Civil Rights                         |  | <input type="checkbox"/> 436 Labor/Mgmt. Reporting & Disclosure Act | <input type="checkbox"/> 919 Taxes (U.S. Plaintiff or Defendant)           | <input type="checkbox"/> 920 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 921 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 922 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 923 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 245 Tort Product Liability                               | <input type="checkbox"/> 440 Other Civil Rights              | <input type="checkbox"/> 550 Prison Condition                                      |  | <input type="checkbox"/> 437 Labor/Mgmt. Reporting & Disclosure Act | <input type="checkbox"/> 924 Taxes (U.S. Plaintiff or Defendant)           | <input type="checkbox"/> 925 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 926 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 927 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 928 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 290 All Other Real Property                              |  |  |  | <input type="checkbox"/> 438 Labor/Mgmt. Reporting & Disclosure Act | <input type="checkbox"/> 929 Taxes (U.S. Plaintiff or Defendant)           | <input type="checkbox"/> 930 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 931 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 932 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 933 Taxes (U.S. Plaintiff or Defendant) |

## VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

28 USC § 1332

## VII. REQUESTED IN COMPLAINT

CHECK IF THIS IS A CLASS ACTION  
☐ UNDER F.R.C.P. 23

DEMAND \$ over \$75,000

CHECK YES only if demanded in complaint  
JURY DEMAND: ☒ YES ☐ NO

## VIII. THIS CASE

☒ IS NOT A REFILE OF A PREVIOUSLY DISMISSED ACTION.☐ IS A REFILE OF CASE

PREVIOUSLY DISMISSED BY JUDGE

DATE

SIGNATURE OF ATTORNEY OF RECORD

UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**FILED**

RUSSEL C. WILLEY, individually,  
Plaintiff,

v.

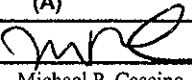
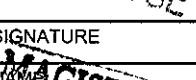
A. C. AND S., INC., et al.  
Defendants.

CASE NO. DEC 29 2000

MICHAEL W. DOBBINS, CLERK  
UNITED STATES DISTRICT COURT

00c 8195

Appearances are hereby filed by the undersigned as attorney of record for Russel C. Willey.

| (A)   | (B)  |
|---|--|
| SIGNATURE  | SIGNATURE  |
| NAME: Michael P. Cascino  | NAME: Michael W. Dobbins   |
| FIRM: Cascino Vaughan Law Offices, Ltd.   | FIRM: Cascino Vaughan Law Offices, Ltd.  |
| STREET ADDRESS: 403 West North Avenue   | STREET ADDRESS: 403 West North Avenue  |
| CITY/STATE/ZIP: Chicago, Illinois 60610-1117  | CITY/STATE/ZIP: Chicago, Illinois 60610-1117   |
| TELEPHONE NUMBER: 312-944-0600  | TELEPHONE NUMBER: 312-944-0600   |
| IDENTIFICATION NUMBER: 3124122  | IDENTIFICATION NUMBER:   |
| MEMBER OF TRIAL BAR: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>    | MEMBER OF TRIAL BAR: YES <input type="checkbox"/> NO <input type="checkbox"/>                |
| TRIAL ATTORNEY: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>         | TRIAL ATTORNEY: YES <input type="checkbox"/> NO <input type="checkbox"/>                     |
| (C)   | (D)  |
| SIGNATURE   | SIGNATURE  |
| NAME:   | NAME:  |
| FIRM: Cascino Vaughan Law Offices, Ltd.   | FIRM: Cascino Vaughan Law Offices, Ltd.  |
| STREET ADDRESS: 403 West North Avenue   | STREET ADDRESS: 403 West North Avenue  |
| CITY/STATE/ZIP: Chicago, Illinois 60610-1117  | CITY/STATE/ZIP: Chicago, Illinois 60610-1117   |
| TELEPHONE NUMBER: 312-944-0600  | TELEPHONE NUMBER: 312-944-0600   |
| IDENTIFICATION NUMBER:  | IDENTIFICATION NUMBER:   |
| MEMBER OF TRIAL BAR: YES <input type="checkbox"/> NO <input type="checkbox"/>               | MEMBER OF TRIAL BAR: YES <input type="checkbox"/> NO <input type="checkbox"/>                |
| TRIAL ATTORNEY: YES <input type="checkbox"/> NO <input type="checkbox"/>                    | TRIAL ATTORNEY: YES <input type="checkbox"/> NO <input type="checkbox"/>                     |

**BOOKETED**

JAN 12 2001

13